

MINUTES
FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION TO BE HELD AT
6:00 P.M., THURSDAY EVENING, JUNE 10, 2010, CITY COUNCIL CHAMBERS
#2 CIVIC CENTER PLAZA – 2ND FLOOR

All matters listed under the Consent Agenda below will be considered by the Commission to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless members of the Commission or persons in the audience request specific items be removed from the Consent agenda to the Regular Agenda for discussion prior to the time the Commission votes on the motion to adopt the Consent Agenda.

MEMBERS PRESENT: Boureslan, Ali – Chair
 Chacon, Fernando
 Gezelius, Kenneth
 Karlsruher, Eileen
 Pleters, Michael
 Ramirez, Terry
 Turner, Marcia

MEMBERS ABSENT: Viescas, Cora

The meeting convened at 6:03 p.m. with six Commissioners present and Chair Boureslan presiding. Chair Boureslan asked CSC Secretary Linda Thomas if there were any changes to Agenda. Ms. Thomas stated there were no changes. Joe Acosta requested that the Minutes be moved to Regular Agenda for correction. Chair Boureslan recognizes Commissioner Sustaita's past service to the Commission. Also, welcomes and introduces new Commissioner Terry Ramirez. Early departure by Commissioner Karlsruher at 7:00 p.m.

CONSENT AGENDA

1. Discussion and Action on Approval of Minutes:

May 13, 2010

Discussion by Joe Acosta to make note that Commission Chacon's name was not shown in Item 7A on a tie vote for nays.

MOTION TO APPROVE CORRECTION ON ITEM 7A MADE BY COMMISSIONER PLETERS AND SECONDED BY COMMISSISONER GEZELIUS AND UNANIMOUSLY PASSED.

2. Notation Assignment of Hearing Officers to the following Appeals:

Roberto Morales – Environmental Services – Termination – William Ellis
Sergio A. Armendariz – Fire – Suspension – Patricia Palafox
Arturo Padilla – Streets- Termination – William Ellis

MOTION TO APPROVE CONSENT AGENDA WITH CHANGES MADE BY COMMISSIONER PLETERS AND SECONDED BY COMMISSIONER CHACON AND UNANIMOUSLY PASSED.

REGULAR AGENDA

3. Discussion and Action on Approval of Hearing Officer's Report and Recommendation:

A. Kendall Gutierrez – Suspension – Fire Department

Discussion by Appellant Kendall Gutierrez, Assistant City Attorney John Batoon, Commissioners Chacon, Pleters, Chair Boureslan, City Attorney Elaine Hengen. Further discussion by Appellant Kendall Gutierrez, Chair Boureslan, and Commissioner Pleters.

MOTION TO APPROVE HEARING OFFICER'S RECOMMENDATION THAT THE FOUR DAY SUSPENSION BE SUSTAINED MADE BY COMMISSIONER PLETTERS AND SECONDED BY COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.

B. Rene Ebarguen – Termination – Fire Department

MOTION TO APPROVED HEARING OFFICER'S RECOMMENDATION THAT SEPARATION BE UPHOLD AND HIS APPEAL DENIED IN ALL RESPECTS MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER TURNER AND UNANIMOUSLY PASSED.

C. Ignacio Moreno – Termination – Sun Metro

Discussion by Commissioner Chacon, Ramirez, Chair Boureslan, Assistant City Attorney John Batoon, Appellant's Representative Jaime Arellano, EPMEA David Ochoa, City Manager Joyce Wilson, Sun Metro Director Jay Banasiak.

MOTION TO REMAND RECOMMENDATION TO HEARING OFFICER MADE BY COMMISSIONER CHACON NO SECOND MOTION FAILS.

MOTION TO APPROVE HEARING OFFICER'S RECOMMENDATION THAT THE TERMINATION NOT BE SUSTAINED AND THAT THE TERMINATION BE CHANGED TO A TEN DAY SUSPENSION FOR A CHARGEABLE ACCIDENT OCCURRING ON NOVEMBER 20, 2009 MADE BY COMMISSIONER PLETTERS AND SECONDED BY COMMISSIONER KARLSRUHER AND PASSED BY A VOTE OF 5 TO 1.

AYES: TURNER, RAMIREZ, GEZELIUS, PLETTERS, KARLSRUHER

NAYES: CHACON

MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISSIONER PLETTERS AND SECONDED BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.

Executive session convened at 7:00 p.m.

The Civil Service Commission may retire into Executive Session pursuant to Civil Service Commission Rule 1, Section 11(a) and the Texas Government Code, Section 551, Subchapter D to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Commission may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.). The Commission will return to open session to take any final action.

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.074 PERSONNEL MATTERS

MOTION TO RECONVENE TO OPEN SESSION MADE BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER PLETTERS AND UNANIMOUSLY PASSED.

Reconvened to open session 7:35 p.m.

4. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rule 8.1.d.2:

A. Alarcon, Matthew – General Service Worker

MOTION TO DENY MADE BY COMMISSIONER PLETTERS AND SECONDED BY COMMISSIONER GEZELIUS AND PASSED BY A VOTE OF 4 TO 1.

AYES: TURNER, RAMIREZ, GEZELIUS, PLETTERS

NAYES: CHACON

B. Duran, Christopher A. – General Service Worker

MOTION TO DENY MADE BY COMMISSIONER RAMIREZ AND SECONDED BY COMMISSIONER GEZELIUS AND PASSED BY A VOTE OF 4 TO 1.

AYES: TURNER, RAMIREZ, GEZELIUS, PLETTERS

NAYES: CHACON

C. Hernandez, Danny – General Service Worker

MOTION TO APPROVE MADE BY COMMISSIONER PLETTERS AND SECONDED BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.

D. Isassi, Luis – General Service Worker

MOTION TO APPROVE MADE BY COMMISSIONER PLETTERS AND SECONDED BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.

E. Juarez, Ruben – General Service Worker

MOTION TO APPROVE MADE BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER RAMIREZ AND UNANIMOUSLY PASSED.

5. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rule 8.1.f:


Fonseca, Mario – General Service Worker

MOTION TO DENY MADE BY COMMISSIONER RAMIREZ AND SECONDED BY COMMISSIONER GEZELIUS AND PASSED BY A VOTE OF 4 TO 1.

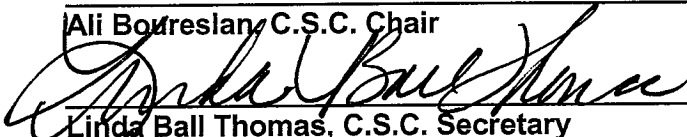
AYES: TURNER, RAMIREZ, GEZELIUS, PLETTERS
NAYES: CHACON

MOTION TO ADJOURN MADE BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER PLETTERS AND UNANIMOUSLY PASSED.

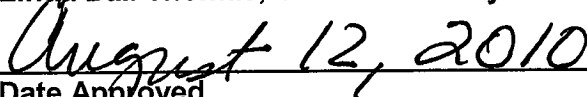
MEETING ADJOURNED AT 7:36 P.M.



Ali Boureslan, C.S.C. Chair



Linda Ball Thomas, C.S.C. Secretary



Date Approved